

EXHIBIT 1

[REDACTED VERSION]

Curtis, Kelsey

From: Skok, Gavin W. <gskok@foxrothschild.com>
Sent: Thursday, November 2, 2023 11:08 AM
To: Steiner, Jordanne; David LeRay; Adam Wolfson; Broz, Kristen Ward; ccasper@mmwr.com; Breslauer, Peter; Buchter, Nathan M.; Rizzo, Jessica; Day, Robert valveatplaintiffcounsel@lists.locklaw.com; Matthew; WSGR - Dark Catt WSGR Internal
Cc:
Subject: RE: Valve AT Plaintiff Counsel - Re: Valve Employee Depositions

EXT - gskok@foxrothschild.com

Jordanne –

We recognize the parties are at impasse on this issue and agree to use of the LR 37 procedure if Plaintiffs feel the need to raise it with the Court.

Many thanks,
Gavin

From: Steiner, Jordanne <jordanne.miller@wsgr.com>
Sent: November 1, 2023 4:58 PM
To: Skok, Gavin W. <gskok@foxrothschild.com>; David LeRay <davidleray@quinnemanuel.com>; Adam Wolfson <adamwolfson@quinnemanuel.com>; Broz, Kristen Ward <KBroz@foxrothschild.com>; ccasper@mmwr.com; Breslauer, Peter <pbreslauer@mmwr.com>; Buchter, Nathan M. <nbuchter@foxrothschild.com>; Rizzo, Jessica <JRizzo@mmwr.com>; Day, Robert <RDay@mmwr.com>
Cc: valveatplaintiffcounsel@lists.locklaw.com; Matthew <mkoenig@constantinecannon.com>; WSGR - Dark Catt WSGR Internal <DarkCatt_Valve_WSGR_Team@wsgr.com>
Subject: [EXT] RE: Valve AT Plaintiff Counsel - Re: Valve Employee Depositions

Gavin,

Thank you for confirming Valve's position. Given that we are at impasse, Plaintiffs intend to raise the issue before the court. Does Valve consent to the use of LR 37 expedited joint motions practice?

Best,
Jordanne

From: Skok, Gavin W. <gskok@foxrothschild.com>
Sent: Wednesday, November 1, 2023 7:09 PM
To: Steiner, Jordanne <jordanne.miller@wsgr.com>; David LeRay <davidleray@quinnemanuel.com>; Adam Wolfson <adamwolfson@quinnemanuel.com>; Broz, Kristen Ward <KBroz@foxrothschild.com>; ccasper@mmwr.com; Breslauer, Peter <pbreslauer@mmwr.com>; Buchter, Nathan M. <nbuchter@foxrothschild.com>; Rizzo, Jessica <JRizzo@mmwr.com>; Day, Robert <RDay@mmwr.com>
Cc: valveatplaintiffcounsel@lists.locklaw.com; Matthew <mkoenig@constantinecannon.com>; WSGR - Dark Catt WSGR Internal <DarkCatt_Valve_WSGR_Team@wsgr.com>
Subject: RE: Valve AT Plaintiff Counsel - Re: Valve Employee Depositions

EXT - gskok@foxrothschild.com

Jordanne –

[REDACTED]

Many thanks,
Gavin

From: Steiner, Jordanne <jordanne.miller@wsgr.com>

Sent: November 1, 2023 10:58 AM

To: Skok, Gavin W. <gskok@foxrothschild.com>; David LeRay <davidleray@quinnemanuel.com>; Adam Wolfson <adamwolfson@quinnemanuel.com>; Broz, Kristen Ward <KBroz@foxrothschild.com>; ccasper@mmwr.com; Breslauer, Peter <pbreslauer@mmwr.com>; Buchter, Nathan M. <nbuchter@foxrothschild.com>; Rizzo, Jessica <JRizzo@mmwr.com>; Day, Robert <RDay@mmwr.com>

Cc: valveatplaintiffcounsel@lists.locklaw.com; Matthew <mkoenig@constantinecannon.com>; WSGR - Dark Catt WSGR Internal <DarkCatt_Valve_WSGR_Team@wsgr.com>

Subject: [EXT] RE: Valve AT Plaintiff Counsel - Re: Valve Employee Depositions

Counsel,

[REDACTED]

[REDACTED]

Best,
Jordanne

From: Steiner, Jordanne

Sent: Friday, October 27, 2023 5:03 PM

To: Skok, Gavin W. <gskok@foxrothschild.com>; David LeRay <davidleray@quinnemanuel.com>; Adam Wolfson <adamwolfson@quinnemanuel.com>; Broz, Kristen Ward <KBroz@foxrothschild.com>; ccasper@mmwr.com; Breslauer, Peter <pbreslauer@mmwr.com>; Buchter, Nathan M. <nbuchter@foxrothschild.com>; Rizzo, Jessica <JRizzo@mmwr.com>; Day, Robert <RDay@mmwr.com>

Cc: valveatplaintiffcounsel@lists.locklaw.com; Matthew <mkoenig@constantinecannon.com>

Subject: RE: Valve AT Plaintiff Counsel - Re: Valve Employee Depositions

Counsel,

[REDACTED]

Best,
Jordanne

From: Skok, Gavin W. <gskok@foxrothschild.com>
Sent: Friday, October 13, 2023 7:45 PM
To: David LeRay <davidleray@quinnemanuel.com>; Adam Wolfson <adamwolfson@quinnemanuel.com>; Broz, Kristen Ward <KBroz@foxrothschild.com>; ccasper@mmwr.com; Breslauer, Peter <pbreslauer@mmwr.com>; Buchter, Nathan M. <nbuchter@foxrothschild.com>; Rizzo, Jessica <JRizzo@mmwr.com>; Day, Robert <RDay@mmwr.com>
Cc: valveatplaintiffcounsel@lists.locklaw.com; Matthew <mkoenig@constantinecannon.com>
Subject: Valve AT Plaintiff Counsel - Re: Valve Employee Depositions

EXT - gskok@foxrothschild.com

David –

We are available to meet & confer about this on Wednesday (10/18) at 10am PT/1pm ET or Thursday (10/19) at 10am PT/1pm ET. Do either of those work for you?

Many thanks,
Gavin

From: David LeRay <davidleray@quinnemanuel.com>
Sent: October 11, 2023 10:44 AM
To: Skok, Gavin W. <gskok@foxrothschild.com>; Adam Wolfson <adamwolfson@quinnemanuel.com>; Broz, Kristen Ward <KBroz@foxrothschild.com>; ccasper@mmwr.com; Breslauer, Peter <pbreslauer@mmwr.com>; Buchter, Nathan M. <nbuchter@foxrothschild.com>; Rizzo, Jessica <JRizzo@mmwr.com>; Day, Robert <RDay@mmwr.com>
Cc: valveatplaintiffcounsel@lists.locklaw.com; Matthew <mkoenig@constantinecannon.com>
Subject: [EXT] RE: Valve AT Plaintiff Counsel - Re: Valve Employee Depositions

Gavin,

[REDACTED]

Thanks,
David

From: Skok, Gavin W. <gskok@foxrothschild.com>

Sent: Wednesday, October 11, 2023 10:27 AM

To: David LeRay <davidleray@quinnemanuel.com>; Adam Wolfson <adamwolfson@quinnemanuel.com>; Broz, Kristen Ward <KBroz@foxrothschild.com>; ccasper@mmwr.com; Breslauer, Peter <pbreslauer@mmwr.com>; Buchter, Nathan M. <nbuchter@foxrothschild.com>; Rizzo, Jessica <JRizzo@mmwr.com>; Day, Robert <RDay@mmwr.com>

Cc: valveatplaintiffcounsel@lists.locklaw.com; Matthew <mkoenig@constantinecannon.com>

Subject: RE: Valve AT Plaintiff Counsel - Re: Valve Employee Depositions

[EXTERNAL EMAIL from gskok@foxrothschild.com]

David –



Many thanks,
Gavin

From: David LeRay <davidleray@quinnemanuel.com>

Sent: October 10, 2023 2:17 PM

To: Skok, Gavin W. <gskok@foxrothschild.com>; Adam Wolfson <adamwolfson@quinnemanuel.com>; Broz, Kristen Ward <KBroz@foxrothschild.com>; ccasper@mmwr.com; Breslauer, Peter <pbreslauer@mmwr.com>; Buchter, Nathan M. <nbuchter@foxrothschild.com>; Rizzo, Jessica <JRizzo@mmwr.com>; Day, Robert <RDay@mmwr.com>

Cc: valveatplaintiffcounsel@lists.locklaw.com; Matthew <mkoenig@constantinecannon.com>

Subject: [EXT] RE: Valve AT Plaintiff Counsel - Re: Valve Employee Depositions

Gavin,

We request Mr. Newell be made available in the Seattle area in person. As the leader of the company, he is surely in the Seattle area with some regularity. Please provide a suitable date.

Thanks,
David

From: Skok, Gavin W. <gskok@foxrothschild.com>

Sent: Monday, October 9, 2023 12:52 PM

To: David LeRay <davidleray@quinnemanuel.com>; Adam Wolfson <adamwolfson@quinnemanuel.com>; Broz, Kristen Ward <KBroz@foxrothschild.com>; ccasper@mmwr.com; Breslauer, Peter <pbreslauer@mmwr.com>; Buchter, Nathan M. <nbuchter@foxrothschild.com>; Rizzo, Jessica <JRizzo@mmwr.com>; Day, Robert <RDay@mmwr.com>

Cc: valveatplaintiffcounsel@lists.locklaw.com; Matthew <mkoenig@constantinecannon.com>

Subject: RE: Valve AT Plaintiff Counsel - Re: Valve Employee Depositions

[EXTERNAL EMAIL from gskok@foxrothschild.com]

David –

We can now confirm: (1) [REDACTED] is available for deposition on November 20, by video or in Bellevue/Seattle, and (2) Mr. Newell is available for deposition on November 21, by video only.

Also, following up on my September 26, 2023 email regarding Valve's designation of [REDACTED] and [REDACTED] on certain 30(b)(6) topics, pursuant to Deposition Protocol ¶ 6 please provide us as soon as possible Plaintiffs' estimate of how much on-the-record time will be needed to pursue those 30(b)(6) topics and whether Plaintiffs also intend to take a 30(b)(1) deposition of these designated witnesses so we can coordinate their scheduling.

Many thanks,
Gavin

From: David LeRay <davidleray@quinnemanuel.com>

Sent: October 6, 2023 8:01 AM

To: Skok, Gavin W. <gskok@foxrothschild.com>; Adam Wolfson <adamwolfson@quinnemanuel.com>; Broz, Kristen Ward <KBroz@foxrothschild.com>; ccasper@mmwr.com; Breslauer, Peter <pbreslauer@mmwr.com>; Buchter, Nathan M. <nbuchter@foxrothschild.com>; Rizzo, Jessica <JRizzo@mmwr.com>; Day, Robert <RDay@mmwr.com>

Cc: valveatplaintiffcounsel@lists.locklaw.com; Matthew <mkoenig@constantinecannon.com>

Subject: [EXT] RE: Valve AT Plaintiff Counsel - Re: Valve Employee Depositions

Counsel,

Do you have any updates regarding Newell and [REDACTED]? We would like to coordinate the scheduling of Plaintiff depositions but need to plan around those depositions.

Thanks,
David

From: David LeRay

Sent: Tuesday, September 26, 2023 4:20 PM

To: Skok, Gavin W. <gskok@foxrothschild.com>; Adam Wolfson <adamwolfson@quinnemanuel.com>; Broz, Kristen Ward <KBroz@foxrothschild.com>; ccasper@mmwr.com; Breslauer, Peter <pbreslauer@mmwr.com>; Buchter, Nathan M. <nbuchter@foxrothschild.com>; Rizzo, Jessica <JRizzo@mmwr.com>; Day, Robert <RDay@mmwr.com>

Cc: valveatplaintiffcounsel@lists.locklaw.com; Matthew <mkoenig@constantinecannon.com>

Subject: RE: Valve AT Plaintiff Counsel - Re: Valve Employee Depositions

We can confirm:

[REDACTED]

We anticipate proceeding in-person in the Seattle area, likely at Wilson Sonsini's Seattle office, except for [REDACTED] and [REDACTED]

We reiterate our scheduling request for Gabe Newell and [REDACTED]

From: Skok, Gavin W. <gskok@foxrothschild.com>

Sent: Friday, September 22, 2023 3:59 PM

To: David LeRay <davidleray@quinnemanuel.com>; Adam Wolfson <adamwolfson@quinnemanuel.com>; Broz, Kristen Ward <KBroz@foxrothschild.com>; ccasper@mmwr.com; Breslauer, Peter <pbreslauer@mmwr.com>; Buchter, Nathan M. <nbuchter@foxrothschild.com>; Rizzo, Jessica <JRizzo@mmwr.com>; Day, Robert <RDay@mmwr.com>

Cc: valveatplaintiffcounsel@lists.locklaw.com; Matthew <mkoenig@constantinecannon.com>

Subject: RE: Valve AT Plaintiff Counsel - Re: Valve Employee Depositions

[EXTERNAL EMAIL from gskok@foxrothschild.com]

David –

We are continuing to work diligently on coordinating availability for numerous 30(b)(1) Valve witnesses and designees for 30(b)(6) topics. As of now we can confirm this additional availability and witness locations:

- [REDACTED] is available by video or in person in Bellevue on October 24.
- [REDACTED] is available by video or in person in Bellevue on November 1 or 3.
- [REDACTED] is available by video or in person in Bellevue on November 7. Valve designates [REDACTED] as Valve's FRCP 30(b)(6) designee on the remaining portions of Topic 8 related to algorithmic marketing and promotion (see Sept. 14, 2023 G. Skok email re Valve's designation for remaining portions of Topic 8).
- [REDACTED] is available by video or in person in Bellevue on November 8.
- [REDACTED] is available by video or in person in Bellevue on November 14.
- [REDACTED] is available by video or in person in Bellevue on November 15 or 17.
- [REDACTED] is available by video or in person in Bellevue on November 16.
- We are working on availability for remaining witnesses.
- We do not presently anticipate any witnesses listed above other than [REDACTED] will be 30(b)(6) designees. However, Valve has not made a final determination on all designees and reserves the right to designate any of the witnesses listed above as 30(b)(6) designees on one or more topics in accordance with the process and timeframes in the Stipulated Motion Concerning Depositions.

Finally, at your request we again checked with [REDACTED] regarding whether it was possible to re-arrange pre-existing travel plans or move conflicts to be available for his deposition before November 2. He again confirmed it is not. [REDACTED] is available on November 2. We are happy to check additional dates if you have a conflict on November 2 but those options will be on later dates.

Many thanks,
Gavin

From: David LeRay <davidleray@quinnemanuel.com>

Sent: September 20, 2023 7:42 AM

To: Skok, Gavin W. <gskok@foxrothschild.com>; Adam Wolfson <adamwolfson@quinnemanuel.com>; Broz, Kristen Ward <KBroz@foxrothschild.com>; ccasper@mmwr.com; Breslauer, Peter <pbreslauer@mmwr.com>; Buchter, Nathan M. <nbuchter@foxrothschild.com>; Rizzo, Jessica <JRizzo@mmwr.com>; Day, Robert <RDay@mmwr.com>

Cc: valveatplaintiffcounsel@lists.locklaw.com; Matthew <mkoenig@constantinecannon.com>

Subject: [EXT] RE: Valve AT Plaintiff Counsel - Re: Valve Employee Depositions

Gavin,

I am following up on the below, as Valve has yet to provide proposed deposition dates and the cities where Valve will be producing the witnesses for the following individuals:

[REDACTED]
Gabe Newell
[REDACTED]

Valve also has yet to provide an acceptable date for [REDACTED].

The fact discovery deadline is approaching, and it is critical that Valve proposes dates for the above individuals soon, along with identifying whether any of these deponents will be Valve 30(b)(6) witnesses and their respective topics.

Thanks,
David

From: Skok, Gavin W. <gskok@foxrothschild.com>

Sent: Tuesday, September 12, 2023 2:54 PM

To: David LeRay <davidleray@quinnemanuel.com>; Adam Wolfson <adamwolfson@quinnemanuel.com>; Broz, Kristen Ward <KBroz@foxrothschild.com>; ccasper@mmwr.com; Breslauer, Peter <pbreslauer@mmwr.com>; Buchter, Nathan M. <nbuchter@foxrothschild.com>; Rizzo, Jessica <JRizzo@mmwr.com>; Day, Robert <RDay@mmwr.com>

Cc: valveatplaintiffcounsel@lists.locklaw.com; Matthew <mkoenig@constantinecannon.com>

Subject: RE: Valve AT Plaintiff Counsel - Re: Valve Employee Depositions

[EXTERNAL EMAIL from gskok@foxrothschild.com]

David –

Thank you for confirming those deposition dates. Regarding start times, the witnesses you list below are on Pacific Time so an 8am PT start time is too early. Please note these witnesses for a 9am PT start time, with one exception: [REDACTED] needs to begin at or after 9:30 a.m. PT on September 19 due to a conflict. Remote depositions should be noted for Valve Corporation, 10400 NE 4th St., Suite 1400, Bellevue, WA 98004. For remote depositions, there is no public access to Valve's offices so the reporter will need to contact us in advance to arrange to be let up on the elevators and into their office. Exhibits for use in remote depositions (Protocol § 25) should be delivered the day before the deposition to: Gavin Skok, Fox Rothschild, 1001 4th Ave., Suite 4400, Seattle WA 98154. We will follow up with you soon on the location(s) for in-person depositions.

We are working on the other issues raised in your email.

Many thanks,

Gavin

From: David LeRay <davidleray@quinnemanuel.com>

Sent: September 8, 2023 10:31 AM

To: Skok, Gavin W. <gskok@foxrothschild.com>; Adam Wolfson <adamwolfson@quinnemanuel.com>; Broz, Kristen Ward <KBroz@foxrothschild.com>; ccasper@mmwr.com; Breslauer, Peter <pbreslauer@mmwr.com>; Buchter, Nathan M. <nbuchter@foxrothschild.com>; Rizzo, Jessica <JRizzo@mmwr.com>; Day, Robert <RDay@mmwr.com>

Cc: valveatplaintiffcounsel@lists.locklaw.com; Matthew <mkoenig@constantinecannon.com>

Subject: [EXT] RE: Valve AT Plaintiff Counsel - Re: Valve Employee Depositions

Gavin,

At least as to 30(b)(1) depositions, we can confirm [REDACTED]

[REDACTED] We will serve deposition notices shortly.

Valve's proposal of 11/02 for [REDACTED] does not work for plaintiffs. He was identified as a deponent on August 2, yet Valve proposes he be deposed three full months later, providing a single date for that deposition. Plaintiffs request a date in late September or early October for [REDACTED]. Please provide a prompt response so that we can determine whether the parties are at impasse regarding the scheduling of [REDACTED]'s deposition.

Valve has thus far only offered a single day for each deponent. If a deponent will be responsible for significant/sizable 30(b)(6) topics, it is likely that we will need to schedule multiple days with the deponent. Valve's continued refusal to provide an allocation of 30(b)(6) topics to deponents is thus creating unnecessary scheduling complexities. Your email states "We will provide you that information in accordance with the deposition protocol order." We believe that having you provide this information now is in accordance with the protocol order. Please provide your understanding of the deposition protocol order if it is different and by when it is Valve's view it needs to provide 30(b)(6) topic identification. As stated, if we do not have 30(b)(6) topics for [REDACTED] on a timely basis, we will need to proceed with a separate 30(b)(6) deposition to occur later in the discovery phase.

We would like to proceed via Zoom for [REDACTED], and likely in person for [REDACTED]. For Zoom depositions, Plaintiffs propose an 8 AM PT start time, depending on court reporter availability. Please provide a proposed physical location for all of these depositions, including Zoom-format ones, as Plaintiffs may elect to have the court reporter attend nonetheless attend in person.

Further, in the spirit of professional courtesy, we ask that instead of providing a single date for each deponent, that we be provided with each witness's full availability. Given the number of schedules that need to be coordinated, we believe this is reasonable. Plaintiffs will then confer and promptly identify a date that works for both sides' schedules.

Finally, Plaintiffs also seek to depose the following eight Valve-affiliated individuals:

[REDACTED]

[REDACTED]
[REDACTED]
Gabe Newell
[REDACTED]

Please get us their availability as soon as possible.

From: Skok, Gavin W. <gskok@foxrothschild.com>

Sent: Wednesday, September 6, 2023 8:25 PM

To: David LeRay <davidleray@quinnemanuel.com>; Adam Wolfson <adamwolfson@quinnemanuel.com>; Broz, Kristen Ward <KBroz@foxrothschild.com>; ccasper@mmwr.com; Breslauer, Peter <pbreslauer@mmwr.com>; Buchter, Nathan M. <nbuchter@foxrothschild.com>; Rizzo, Jessica <JRizzo@mmwr.com>; Day, Robert <RDay@mmwr.com>

Cc: valveatplaintiffcounsel@lists.locklaw.com; Matthew <mkoenig@constantinecannon.com>

Subject: RE: Valve AT Plaintiff Counsel - Re: Valve Employee Depositions

[EXTERNAL EMAIL from gskok@foxrothschild.com]

David –

We have been working diligently on coordinating availability for the seven remaining 30(b)(1) Valve witnesses and the 30(b)(6) topics. As of now we can confirm this additional availability:

- [REDACTED] is available for a 30(b)(1) deposition on October 3.
- [REDACTED] is available for a 30(b)(1) deposition on October 4.
- [REDACTED] is available for a 30(b)(1) deposition on October 5.
- [REDACTED] is available for a 30(b)(1) deposition on October 11.
- [REDACTED] is available for a 30(b)(1) deposition on October 12.
- [REDACTED] is available for a 30(b)(1) deposition on November 2.
- We are continuing to work on scheduling for [REDACTED]

We expect some of these witnesses will also be 30(b)(6) designees on certain topics. We will provide you that information in accordance with the deposition protocol order.

Many thanks,
Gavin

From: David LeRay <davidleray@quinnemanuel.com>

Sent: September 6, 2023 3:09 PM

Thanks,

David LeRay

Associate

Quinn Emanuel Urquhart & Sullivan, LLP

51 Madison Avenue, 22nd Floor
New York, NY 10010
212-849-7630 Direct
212-849-7000 Main Office Number
212-849-7100 FAX
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www.quinnemanuel.com

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